

## Appendix I: Land Protection Plan

## Appendix I: Land Protection Plan: Lower and Middle Minnesota River Valley

### Options for Fish and Wildlife Habitats

This Land Protection Plan presents habitat protection and restoration options available to the Service and landowners on public and private lands within the proposed refuge boundary.

#### I. Options for Land Protection

Land protection options vary from written agreements on land management to outright purchase of the land. Land may be acquired in fee title by several methods including exchange, purchase or donation. Conservation or non-development easements can also be purchased by the Service or donated by a landowner. Each parcel of land has unique resource values and circumstances that determine the desired level of protection.

Much of the public discussion over a refuge expansion proposal centers on full acquisition of lands (fee title). However, land purchase is only one of many options for developing a wildlife refuge. Various options for habitat protection and restoration could be used in concert with fee title acquisition to achieve refuge goals.

**Fee Simple Purchase:** The Service could purchase land from willing sellers within the proposed refuge unit boundaries. The land would be appraised at market value and a written offer presented to a landowner. Full rights and title to purchased property would be vested with the United States as part of the National Wildlife Refuge System. Land acquisition funds are limited and allocated on a nationwide basis. Each Service Region must compete for appropriations from Congress under the Land and Water Conservation Fund and for Migratory Bird Conservation Fund (Duck Stamp) allotments. Annual land acquisition funding cannot be assured for each refuge requesting it.

**Conservation Easements:** Conservation easements are a popular method for land protection used by private individuals, land trusts and governments. Conservation easements involve the acquisition of specific land rights for the purpose of achieving defined habitat objectives. Easements can either prohibit or encourage certain practices. For example, wetland easements usually involve the right to drain, burn and fill a wetland. Grassland easements usually cover the right to place timing restrictions on hay mowing to benefit wildlife. Easements become part of the title to the property and are usually permanent. If a landowner sells the property, the easement continues as part of the title.

#### II. Options for Habitat Restoration

**Conservation Reserve Enhancement Program:** The Conservation Reserve Enhancement Program (CREP), administered by the Minnesota Board of Water and Soil Resources, pays farmers for taking marginal agricultural land out of production within the Minnesota River basin watershed. The CREP combines the federal Conservation Reserve Program with the state Reinvest in Minnesota Program. The goal of this partner-

ship is to protect and enhance up to 100,000 acres of environmentally sensitive land in the 37 county Minnesota River basin watershed. Eligible lands include frequently-flooded croplands, wetlands and prairie potholes. Landowners sign easements guaranteeing that the land will not be cropped and that they manage it under a conservation plan. Habitat restoration measures outlined in the conservation plans are often paid for by CREP. The program expires September 30, 2002.

**Partners for Fish and Wildlife:** This program is administered by the U.S. Department of the Interior, Fish and Wildlife Service and offers technical and financial assistance to private landowners to voluntarily restore wetlands, native grasslands and other fish and wildlife habitats. The Service, along with a wide variety of partners, provides assistance and cost-sharing to complete work if the landowner agrees to maintain the area for a period of 10 years or more. Partners who contribute time and funds for these efforts include local conservation organizations, universities, businesses, school groups, other government agencies and private individuals.

**Wetlands Reserve Program:** The Wetlands Reserve Program is administered by the U.S. Department of Agriculture, Natural Resources Conservation Service. The program focuses on providing financial incentives to landowners in exchange for wetland restoration or enhancements. Three options are available: permanent easements, 30-year easements, and restoration cost-share agreements for a minimum 10-year duration. The landowner retains title to the land and may lease it for hunting and fishing. Additional activities, such as haying, grazing or timber cutting may be permitted if the uses are fully consistent with protection and enhancement of the wetland.

**Technical Assistance:** Several programs exist for people who want to improve wildlife habitat on their land. Financial assistance for habitat improvements is often available on a cost-sharing basis.

**Wildlife Habitat Incentives Program:** Participants work with the Natural Resource Conservation Service to prepare a wildlife habitat development plan in consultation with the local conservation district. The plan describes the landowner's goals for habitat improvement and sets a schedule for implementation. Cost-share agreements under this program generally last from 5 to 10 years.

**Cooperative Agreements:** The U.S. Fish and Wildlife Service can offer free technical assistance to neighboring property owners through a cooperative agreement. The Service can agree to develop wildlife or land management plans, or do wildlife surveys on private lands and provide detailed information to the landowners. These cooperative agreements are formal, written documents, and usually place no legally binding restrictions on the land. No money is involved and either party may cancel the agreement with adequate notice to the other party. A cooperative agreement would not affect the tax status of the land.

**Private Conservation Efforts:** In recent years, conservation organizations have been effective in promoting wildlife habitat improvement on private lands. Collectively, these local, regional or national organizations are a great source of financial and technical assistance for the private landowner who wishes to improve lands for wildlife. Some of the organizations active in the midwest include The Nature Conservancy, The Conservation Fund, Fish and Wildlife Foundation, Izaak Walton League, Audubon Society, Trust for Public Lands, Ducks Unlimited, and Pheasants Forever.

Technical assistance for sensitive habitat management is available through the Minnesota Valley Heritage Registry sponsored by the group Friends of the Minnesota Valley. Landowners make a verbal commitment to protect and preserve the land to the best of their abilities, notify the Friends of any potential threats to the area, and notify the Friends of the intent to sell the property. In return, landowners are provided with educational information on stewardship techniques, incentives (books and plaques) and public recognition of their efforts.

In addition, local hunting, fishing, and conservation organizations often are willing to assist private landowners with wildlife habitat improvement projects. Many of these organizations have substantial financial and technical resources and are often a dedicated source of energy for wildlife habitat improvement on both private and public lands.

### **III. Recommended Land Protection Levels**

The draft Environmental Assessment recommends Alternative C which has a refuge land protection goal of up to 50,000 acres based around several core sites. Any fee or easement purchases would be from willing sellers only. If a landowner is not interested in a fee title sale, the Service would consider other options such as conservation easements or assistance with private conservation measures if these were of interest to the landowner.

The Service would not seek to acquire State lands already managed for wildlife habitat. Instead, we would like to work in concert with State land managers to enhance wildlife habitat measures on adjacent federal and state lands.

### **IV. Land Protection Priorities:**

The Core Sites are the Service's highest priority (Priority 1) for purchase and restoration with future available funding. Lands that would connect existing protected habitats would be the second highest priority for fee purchase and conservation easements (Priority 2). Parcels not located adjacent to Core Sites and/or existing protected areas would receive a high priority for private conservation measures but a lower priority for available land acquisition funds (Priority 3).